

Interview Summary

Applicant's representatives Jeffrey E. Semprebon and Michael J. Weins would like to thank Examiner Plummer and Primary Examiner Jeanette Chapman for granting a telephonic interview on 03/22/2007, and for providing the interview summary mailed on 03/28/2007. The following remarks are being provided to include further detail of the particular issues discussed. During the interview, Applicant's representatives requested explanations for the characterization of the Tlemcani reference (U.S. Patent 6,615,544) with regard to the claim language.

With regard to the term "insulating block", the Examiners stated that it was the practice of the Office to interpret claims broadly and that, as claimed, the term "insulating block" was felt to read on an obstruction made of any material that would block passage through the opening. With regard to the material being "insulating", Examiner Chapman stated that any material would have some insulating capacity, and thus aluminum (such as taught by Tlemcani) could be considered an insulating material.

With regard to the limitation that the block substantially fills the passage, the Examiners stated that "substantially fills" as set forth in the claim could be interpreted as including the Tlemcani structure, as there was no further definition of the term "substantially". Applicant's representatives pointed out that Tlemcani taught spaces around the sides of the door to accommodate the closing hardware, such as shown in Figure 3. Examiner Chapman felt that the hardware shown did not take up a significant amount of space, and maintained that the claim language of "substantially fills" could be interpreted as reading on the Tlemcani door.

Similarly, with regard to the limitation in claim 8 (and in claim 4) that the block have facets residing in close proximity to the sidewalls of the passage, Examiner Chapman felt that the

claim did not define “close proximity” sufficiently to prevent this language from reading on the sides of the Tlemcani door.

Applicant’s representatives pointed out that the Tlemcani door lacked a back facet, referring to Figures 4 and 6, which show the structure as being open on the side facing the hinges. After reviewing the figures at length, the Examiners felt that this issue appeared to warrant further review.

The statement in the office action that a 90-degree vertical surface could be considered sloped was also felt to warrant further review.

Applicant’s representatives questioned the basis for holding that the Tlemcani passage had a minimum cross section at the lower edge. Examiner Chapman felt that the minimum cross section could be defined by the flange 32. Examiner Plummer noted that, if the Tlemcani passage were considered to have a constant cross section, the constant cross section at the lower edge would still be the minimum.

Applicant’s representatives thanked the Examiners for the opportunity to obtain a clearer understanding of the bases for rejection set forth in the office action.